4th Election District

Adat Chaim, 1nc. Petitioner

3rd Councilmanic District * Case No. 90-487-SPH * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

The Petitioner herein requests a special hearing to approve a shared parking adjustment, pursuant to Section 409.6.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit less than the total parking required, and an exception to R.T.A. restrictions in accordance with Section 1.B01.1.C.5 of the B.C.Z.R., as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by Mark Beytin, President, appeared, testified and was represented by Jeffrey S. Chernow, Esquire. Also appearing on behalf of the Petition were Jan Clark and Judith Rabb with Rosenfelt & Woolfolk, Inc., Engineers/Planners. There were no Protestants.

Testimony indicated that the subject property, known as 115 Cockeys Mill Road, consists of 9.80 acres of which 8.2 acres are zoned D.R. 3.5 and 1.6 acres are zoned R.C. 4, and is presently unimproved. Said property is rectangular in shape, approximately 350 feet wide by 950 feet long, with its width having frontage on Cockeys Mill Road. Petitioner is desirous of constructing a synagogue on the property as depicted in Petitioner's Exhibit 1. Testimony indicated the proposed facility will include a synagogue with a sanctuary and a multi-purpose room for social functions associated with the synagogue. Petitioner testified that due to the topography of the land, the proposed facilities must be constructed on

the front half of the property. Testimony indicated that as a result of the width of the lot and the available space for development, the proposed synagogue cannot meet R.T.A. buffer requirements. The evidence presented indicates the zoning line runs through the property on the west side along its long axis resulting in the D.R. 3.5 zoned portion of the lot being even more narrow. Petitioner testified that in order to provide the appropriate environmental protection requirements, the rear portion of the site, excluding the septic system area, must remain open for storm water management. Testimony indicated that Petitioner will provide landscaping along Cockeys Mill Road with mounds and plantings as depicted in Petitioner's Exhibit 1 in an effort to meet R.T.A. buffer requirements. Further, the remaining R.C. 4 zoned strip of land along the west side, which is partially wooded, will be regraded and groundcover planted to provide additional buffering for the proposed building.

Mr. Clark testified as to the special exception requirements of Section 502.1 and presented evidence to substantiate that all the prerequisites to support the proposed modifications to R.T.A. requirements have

At the time of the hearing, no comments had yet been received from the Office of Planning regarding the proposed project. In view of this and Petitioner's request for an exception to R.T.A. requirements, the Zoning Commissioner requested that a landscaping plan be developed and submitted for approval prior to making a decision in this matter. The approved landscaping plan has been accepted and marked Petitioner's Exhibit A. Said plan clearly shows that the residential properties across the street from the subject property will be adequately buffered from the proposed development and complies to the extent possible with Sections 1.B01.1.C.5 and 6. Section 1.B01.1.C.5 states that exceptions to R.T.A. requirements include:

> "A new church or other building for religious worship constructed on a parcel of land large enough to provide landscaped but otherwise unimproved yard areas of 100 feet between any improvement and any property line other than street frontages."

Petitioner seeks relief, pursuant to this Section, that the landscaping set forth in Petitioner's Exhibit A along the front of the property on Cockeys Mill Road complies with this Section and that there is no R.T.A. required from Franklin Elementary School east of the subject site. The evidence presented indicates that the vegetative buffers, including those proposed for the front of the site, were developed to provide the maximum amount of buffering possible from the residential properties to the north. Further, Petitioner contends the necessity for providing 100 feet of buffer between the proposed sanctuary and the existing parking lot for the elementary school is unnecessary.

With regard to the requested shared parking arrangement, the testimony presented indicated that the proposed use includes a multi-purpose room which may be used for social functions. Such use requires that there be enough parking to support the multi-purpose room on its own and as such, additional parking spaces are required. In order to comply with parking regulations, the Petitioner is required to provide 305 parking spaces for both the religious sanctuary and the multi-purpose room. Petitioner proposes to provide only 210 spaces for both uses, pursuant to Section 409.6.B.3 of the B.C.Z.R., rather than request a variance. Petitioner contends that a shared parking adjustment be permitted since the two portions of the building would not be used at the same time.

Baltimore County

(301) 887-3353

J. Robert Haines

Zoning Commissioner

Office of Planning & Zoning

Jeffrey S. Chernow, Esquire

6 Park Center Court, Suite 100

Owings Mills, Maryland 21117

RE: PETITION FOR SPECIAL HEARING

(115 Cockeys Mill Road)

Case No. 90-487-SPH

Dear Mr. Chernow:

JRH:bjs

cc: People's Counsel

File

Adat Chaim, Inc. - Petitioner

in accordance with the attached Order.

Kandel, Frank & Chernow

Towson, Maryland 21204

August 22, 1990

Enclosed please find a copy of the decision rendered in the

In the event any party finds the decision rendered is unfavor-

Very truly yours,

J. ROBERT HAINES Zoning Commissioner

for Baltimore County

above-captioned matter. The Petition for Special Hearing has been granted

able, any party may file an appeal to the County Board of Appeals within

thirty (30) days of the date of this Order. For further information on

filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

S/S Cockeys Mill Road; 1500' W of Reisterstown Road

4th Election District - 3rd Councilmanic District

Dennis F. Rasmussen

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a nescribed in the description and plat attached hereto and made a part hereof, hereby pedidon for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve _____ a shared parking adjustment in accordance with 409.6.B.3 to permit less that the -total parking required and an exception to R.T.A. restrictions in accordance with

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restriction. tions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): Contract Purchaser: Adat Chaim, Inc., by: (Type or Print Name) (Type or Print Name) Mark Beytin, Presides (Type or Print Name) Address 6,20 City and State 16 J. S. S. S. Attorney for Petitioner: P. O. Box 10 (Type or Print Name) Owings Mills, Maryland 21117 City and State Signature Suite 1400 Munsey Building

Name, address and phone number of legal owner, con-7 N. Calvert Street tract purchaser or representative to be contacted Baltimore, Maryland 21202 City and State Attorney's Telephone No.: (301) 685-7400

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day MAY, 19.90, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

parking adjustment should be permitted. While the two rooms are interconnected in one building, they function separately from one another and in my opinion, a social function could not take place at the same time that worship services are in progress.

In the opinion of the Zoning Commissioner, the proposed shared

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1990, that the Petition for Special Hearing to approve a shared parking adjustment, pursuant to Section 409.6.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit less than the total parking required and an exception to R.T.A. restrictions in accordance with Section 1.B01.1.C.5 of the B.C.Z.R., in accordance with Petitioner's Exhibits 1 and A, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is

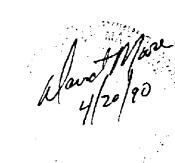
> > 90-487-SPH

ZONING DESCRIPTION

Beginning at a point on the south side of Cockeys Mill Road which is 60 feet wide at the approximate distance of 1500 feet west of the centerline of Reisterstown Road which is 66 feet wide thence the following courses and

S.02 47' 31" E. 931.48 ft., S.84 36' 21" W 415.38 ft., N.04 27' 56" W 1068.75 ft., S.75 23' 24" E 353.65 ft., N.82 00' 30" E 109.15 ft., s.02 47' 31" E 22.08 ft.

to the place of beginning as recorded in Deed 7615, Folio 230, containing 9.808 acres of land more or less. Also known as 115 Cockeys Mill Road and located in the Fourth Election District of Baltimore County, Maryland.



ROSENFELT & WOOLFOLK



reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) The landscaping set forth in Petitioner's Exhibit A must be completed by no later than June 1, 1992. Said landscaping shall be maintained at all times by

shall be directed away from the residential uses to

property to insure compliance with this Order. 5) When applying for a building permit, the site plan and landscaping plan filed must reference this

case and set forth and address the restrictions of this Order.

3) All exterior lighting for the proposed project

4) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject

for Baltimore County

JRH:bjs

Baltimore County Zoning Commisioner County Office Building 111 West Chesapeake Avenue

4/19/90 H9000367 FUBLIC HEARING FEES 040 -SPECIAL HEARING (OTHER)

TOTAL: \$175.00 LAST NAME OF OWNER: ADAT CHAIM, INC.

Paid per hand-written

Please make checks payable to: Baltimore County

90-487-SPH CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Date of Posting May 30, 1990 Posted for: Special Hearing Petitioner: Adat Chaim Inc. Location of property: S/S Cockeys Mill Road 1500'W of Reisterstown Road 115 Cockeys Mill Road

Location of Signe: 5/5 of Cockeys Mill Road in front of subject property Posted by S.J. Asata Date of return: June 1, 1990

Baltimore County

Zoning Commission

County Office Building Zoning Commissioner County Office Building Att West Chesopeake Avenue assan, Maryland 21204

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WHILE OF THESE PRIME SERVICE 计原则 医乳球乳 针织 医杆菌腺 人名雷西瓦瓦里拉斯斯 美国 Error that of olders, a Maria Caralla, and

> Please make checks payable to: Baltimore County

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines

Adat Chaim, Inc.

DATE 6-6-20

P. O. Box 10 Owings Mills, Maryland 21117 ATTN: MARK BEYTIN

Re: Petition for Special Hearing CASE NUMBER: 90-487-SPH S/S Cockeys Mill Road, 1500' W of Reisterstown Road 115 Cockeys Mill Road 4th Election District - 3rd Councilmanic Petitioner(s): Adat Chaim, Inc. HEARING: WEDNESDAY, JUNE 20, 1990 at 9:30 a.m.

Please be advised that \$165.44 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & PUST SET(S)
RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

8e advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

JRH:gs cc: Larry Caplan, Esq.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

May 4, 1990



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Special Hearing CASE NUMBER: 90-487-SPH S/S Cockeys Mill Road, 1500' W of Reisterstown Road 115 Cockeys Mill Road 4th Election District - 3rd Councilmanic Petitioner(s): Adat Chaim, Inc. HEARING: WEDNESDAY, JUNE 20, 1990 at 9:30 a.m.

Special Hearing: A shared parking adjustment to permit less than the total parking required AND an exception to R.T.A. restrictions.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permi during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

Paltimore County

cc: Adat Chaim, Inc. Larry Caplan, Esq. Jan Clark

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

June 6, 1990



Larry Caplan, Esquire Suite 1400 Munsey Building 7 N. Calvert Street Baltimore, MD 21202

RE: Item No. 367, Case No. 90-487-SPH Petitioner: Adat Chaim, et al Petition for Special Hearing

Dear Mr. Caplan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

> The world the state of the great JAMES E. DYER Chairman Zoning Plans Advisory Committee

JED:jw Enclosures

cc: Mr. Mark Beytin

Mrs. Jan Clark

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines



Dennis F. Rasmussen

Your petition has been received and accepted for filing this 9th day of May, 1990.

> ✓ J. ROBERT HAINES ZONING COMMISSIONER

Zoning Plans Advisory Committee

Petitioner: Adat Chaim, et al Petitioner's Attorney: Larry Caplan

CERTIFICATE OF PUBLICATION

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified housing in Reserved. THIS IS TO CERTIFY, that the annexed advertisement was identified herein in Room 106 of the County Office Building, lo-cated at 111 W. Chesapeake Av-enue in Towson, Maryland 21204 published in OWINGS MILLS TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ______ Petition for Special Hearing Case number: 90-487-SPH S/S Cockeys Mill Road, 1500 W of Reisterstown Road successive weeks, the first publication appearing on _ May 24_ 115 Cockeys Mill Road
4th Election District
3rd Councilmanic
Petitioner(s):
Adat Chaim, Inc. Hearing Date: Wednesday, June 20, 1990 at 9:30 a.m.

OWINGS MILLS TIMES,

Special Hearing: A shared parking adjustment to permit less than the total parking required AND an exception to R.T.A. restrictions. 5. Zehe Oliver

Publisher strictions. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the is-suance of said permit during this period for good cause shown. Such request must be in writing

CERTIFICATE OF PUBLICATION

TOWSON, MD., 200, 19 90

identified herein in Room 106 of the County Office Building, lo-cated at 111 W. Chesapeake Av-enue in Towson, Maryland 21204 as follows: THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published Petition for Special Hearing Case number: 90-487-SPH
S/S Cockeys Mill Road, 1500'
W of Reislerstown Road
115 Cockeys Mill Road
4th Election District
3rd Councilmanic in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 34, 19 90 Petitioner(s): Adat Chaim, Inc. Hearing Date: Wednesday, June 20, 1990 at 9:30 a.m.

THE JEFFERSONIAN,

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

and received in this office by the late of the hearing set above or

Zoning Commissioner of Battimore County OMT/J/5/334 May 24.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations

of Baltimore County will hold a public hearing on the property

Special Hearing: A shared parking adjustment to permit less than the total parking required AND an exception to R.T.A. re-

In the event that this Petition is

granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain

any request for a stay of the is-suance of said permit during this

period for good cause shown.
Such request must be in writing

and received in this office by the date of the hearing set above or

OMT/J/5/334 May 24.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

J. ROBERT HAINES

May 24, 1990



Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 332, 333, 354, 359, 362, 363, 364, 365, 366, 367, 369, 370, 371, and 372.

Very truly yours,

Michael S. Flanigan Traffic Engineer Associate II

TAKE IN

Numeroment, 887-3775, to obtain requirements for such interactions between the such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which eahnats into the atmosphere. A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation which has a total cooking surface area of five (5) square feet or more. Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for revice and approval. Frior to any new construction or substantial alteration of public swiming pool, wading pool, bathhouse, samus, whirlpools, hot tubs, water and servinge facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Hunagement for review and approval. For more curplete information, contact the Division of Regional Community Services, 687-6500 x 315. Prior to approval for a nursery school, owner or applicant must couply with all Baltimore County regulations for more complete information, contact the Division of Maternal and Child Health. If Inhirication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment. Prior to raving of existing structure(s), pertitioner must contact the Division of Mater at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Hunagement regarding removal of absences, 887-3715. Any abandoned und		FALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL 5/7/9c Date
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BALTIMORE COUNTY, MARYLAND OFFICE COPY CRG DATE: 3/22/90 SUBJECT: COUNTY REVIEW GROUP COMMENTS PRE-CRG DATE: 3/12/90 FROM: ZONING OFFICE PROJECT NAME: Adat Chaim LOCATION: S/S Cockeys Mill Road between 795 and Reisterstown Road REVISED PLAN KEY: (X) COMPLIANCE WITH COMMENT CHECKED (O) NON-COMPLIANCE IS CIRCLED (BA) BE ADVISED (NOT NECESSARY FOR CRG: APPROVAL, BUT MUST BE ADDRESSED PRIOR TO FINAL ZONING APPROVAL) DISTRICT: 4c3 ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE The plan has been reviewed by this office for general compliance with the Baltimore

County Zoning Regulations. The following comments identify obvious conflicts with the Baltimore County Zoning Regulations, and details necessary in order to determine compliance with these regulations. When these standard and nonstandard details and information is available or provided, it shall be the responsibility of the owner, developer, or developer's engineer to rectify all conflicts well in advance of any expected zoning approvals. The intent of the developer must be clear on the C.R.G. plan and any zoning conflicts must be identified conspicuously on the plan under "Zoning Public Hearing Request". If a public hearing is requested, the assistance received at the time of filing zoning petitions and the following zoning staff comments, although they relate to the property, are not to be construed as definitive nor do they indicate the appropriateness of any public hearing requests:

1. R.T.A. - PUBLIC HEARING -- Contrary to note #7 on the plan which must be revised, the proposed synagogue will be subject to the R.T.A. restrictions; however, a public hearing (special hearing) pursuant to Section 500.7 and 1801.1.E.1.C.5 may be requested to determine:

"...that the proposed improvements are planned in such a way that compliance, to the extent possible with R.T.A. use requirements, will be maintained and said plan can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises."

There are two separate paragraphs in the B.C.Z.R. that fully or partially exempt churches or other new buildings for religious worship in a D.R. zone from the R.T.A. restrictions of Section 1801.1.B.1.b. Both sections must be read and applied in the order that they are listed. The first paragraph (Section 1801.1.B.1.c.4 states:

Baltimore County Fire Department 700 East Joppa Road, Suite 901 Towson, Maryland 21204-5500 (301) 887-4500 Paul H. Reincke

Location:

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, ND 21204



RE: Property Owner: ADAT CHAIM, INC.

S/S COCKEYS MILL ROAD

115 COCKEYS MILL ROAD

Item No.: 367 Zoning Agenda: NAY 8, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Frotection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: Cit less Melly 5-7-93 Approved Aff Won 7 Blads he Planning Group Fire Prevention Burgau Special Inspection Division

"A new church or other building for religious worship constructed on a

parcel of land large enough to provide landscaped but otherwise unimproved

yard areas of 100 feet between any improvement and any property line other

than street frontages. (Bill No. 109, 1982.)" (Underlining added.)

Clearly, if all provisions of this paragraph can be met within an R.T.A. arc,

the proposal is completely exempt from the R.T.A. restrictions. There is no

mention of which direction that the R.T.A. is generated from, nor any mention of

which restrictions can be met or to what extent they can be met. The only

A. Is the property within a R.T.A. as defined in Section 1801.1.B.1.a.1?

B. within the R.T.A. on-site can all provisions of Section 1801.1.B.1.c.4

Upon careful reading of these requirements and a review of the site plan submitted, it is the final opinion of the zoning staff that the test of Section

1801.1.B.1.c.4 cannot be met and, therefore, the second paragraph Section

1801.1.B.1.c.5 would apply and a public hearing would be required as stated

above. Should the developer or owner disagree with the staff's opinion, this

issue could also be addressed at a public hearing pursuant to Section 500.7

off-site sources of R.T.A. on-site, including all dwellings and small lots of

record less than 2 acres. All off-site buildings within 300 feet of a proposed

unlike use must be labeled with the existing use. Dwellings must be labeled

"existing dwelling" and all vacant lots must include the acreage. The most

restrictive R.T.A. arcs must be labeled with the required and applicable 300' or

250' R.T.A. radius dimensions and included on the plan print. Clearly and

conspicuously note on the plan: "ALL OFF-SITE DWELLINGS AND SMALL LOTS OF RECORD (LESS THAN 2 ACRES) THAT CREATE A R.T.A. ON-SITE ARE SHOWN WITH THE

REQUIRED 300 FEET AND 250 FEET ARCS". Clearly label all unlike building fronts, even though less than the requirement, the extent of the requirements possible

to meet must be clearly indicated. The public hearing must include a finding

that the proposed improvements are planned in such a way that compliance, to the

extent possible with the R.T.A. use requirements, will be maintained and that

such plan can otherwise be expected to be compatible with the character and

general welfare of the surrounding residential premises.

2. R.T.A. - 2 - PLAN REQUIREMENTS -- Include on the plan and clearly label all

C 3 1020

CUNTY REVIEW GROUP COMMENTS

(B.C.Z.R.).

PROJECT NAME: Adat Chaim Congregation CRG DATE: 3/22/90; PRE-CRG DATE: 3/12/90

important factors to consider are:

COUNTY REVIEW GROUP COMMENTS
PROJECT NAME: Adat Chaim Congregation
CRG DATE: 3/22/90; PRE-CRG DATE: 3/12/90

WCR:scj

RWB:s

Parking must be calculated on the entire use of the property shown on the plan and provided on the plan. If the total requirements cannot be met, a variance could be requested or a special hearing to approve a modified parking plan pursuant to Section 409.12.B (B.C.Z.R.) may be requested.

4. SIGNS -- Expand note #17 and pursuant to Section 413.1.b (B.C.Z.R.), one single-face 30 square foot or one double-face 15 square foot sign is permitted. Include a scale sign elevation on the plan indicating height, square footage, dimensions, single or double-face and illumination in compliance with this section. The sign elevation must be keyed to the proposed location on the plan print.

5. GENERAL -- Note under note #5: "NO MORE THAN 25% OF THE NATURAL VEGETATION WILL BE REMOVED FROM THE R.C.-4 ZONED PORTION OF THE PROPERTY". Note that parking spaces will be permanently striped. Clarify the purpose of the 3-day a week kitchen use listed in general note #26 and enlarge the vicinity map to 1"=1,000' or larger.

6. Final zoning approval is contingent upon the final resolution of all comments and the outcome of the public hearings requested. Zoning C.R.G. approval is contingent upon all plan comments being conspicuously addressed on the C.R.G. plan.

W. CARL RICHARDS, JR.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 11, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting for May 8, 1990

The Developers Engineering Division has reviewed the subject revised zoning items and we have no comments for Items 332, 333, 354, 362, 363, 365, 369 and 370.

For Items 367, the previous County Review Group Comments still apply.

For Item 359, 2-foot setback for parking is inadequate for vehicle overhand against State Highway Administration fence.

For Item 364, the address on the plat is \$9400 for Lot 53.

For Item 366, the correct plat reference is SM 56/138.

For Items 371 and 372, no plans were received for review and comment.

ROBERT W. FOWLING, P.E., dief Developers Engineering Division

June soil

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: June 8, 1990

ROM: Pat Keller, Deputy Director Office of Planning and Zoning

Adet Chaim, Inc., Item No. 367 SUBJECT: Zoning Petition No. 50-487-SPH

The Petitioner requests a special hearing to approve a shared parking adjustment and to an exception to RTA restrictions for the proposed use as a synagogue.

In reference to this request, staff offers the following comments:

- The site was the subject of a CRG meeting on March 22, 1990, in which the development proposal was approved, subject to final plan refinements (File No. IV-384). The Office of Planning and Zoning and the Zoning Office comments for the CRG plan are attached.

If there should be any further questions or if this office can provide additional information, please contact Chris Rorke at 887-3335.

PK/JL/cmm

idia July Thermon tepla Comment 6/19/90

Baltimore County Government Department of Public Works

July 24, 1991

111 West Chesapeake Avenue Towson, MD 21204

Adat Chaim, Inc. c/o Ronald L. Sherman, D.P.M., Vice President P.O. Box 10, Owings Mills, MD. 21117

RE: Plan Corrections

Gentlemen:

367

The County Review Group staff met on July 22,1991, to consider the plan submitted for review.

Since the proposed facility is being reduced in size and no detrimental impact was apparent, it was decided that no revision to the CRG Plan would be required. Our office will retain one copy of your red-lined plan for the project folder.

Mr. Carl Richards of the Zoning Office noted that a revised Zoning Hearing plan would be required. This involves forwarding revised plans to the Zoning Commissioner under a cover letter requesting that the revised plan be accepted into the file since the changes are within the "spirit and intent" of the original. For details, please contact Mr. Richards at 887-3391.

This letter should be presented along with the approved CRG plan when applying for permits.

If you have any questions, feel free to call me at 887-3321.

Sincerely,

David L. Thomas, P.E.
Assistant Chief
Bureau of Public Services

cc: CRG Staff

Carl Richards

Rosenfelt & Woolfolk, Inc.

2000

ROSENFELT & WOOLFOLK NC. 10706 Reisterstown Road Owings Mills, MD 21117 Propose Carry Office of Propay & Zenny WE ARE SENDING YOU Attached ☐ Under separate cover via JUL 9 1990 THESE ARE TRANSMITTED as checked below: ☐ Submit _____copies for distribution For approval ☐ Approved as noted ☐ Return _____corrected prints For your use ☐ Returned for corrections As requested Many tantes has revisued the attacket landering plan and lating don't as you requested at the soring herry on 6/20/20. I unterstand That The Zoning order may the iserver when you receive this plan. - Prome call it you should have any guistians regarding this

ROSENFELT & WOOLFOLK INCORPORATED civil engineers • site designers • land planners water quality and stormwater management consultants March 29, 1990

Mr. J. Lawrence Pilson Baltimore County Department of Environmental Protection & Resource Management 401 Bosley Avenue Towson, Maryland 21204

Re: Adat Chaim Congregation Baltimore County, Maryland Onsite Sanitary Sewerage System

Mr. Pilson:

You have asked us to expand on the proposed kitchen use for the Adat Chaim Synagogue project. This letter can be considered as an update to our letter to J. Robert Powell of DEPRM dated December 29, 1989.

SEWAGE DEMAND

The kitchen will be used primarily for warming food brought in from the outside. The synagogue will be used for once a week services, and for weekend use for occasional dinners for congregational social events and holiday celebrations. In addition, there may be occasional weekday use for Jewish holiday celebrations.

Average kitchen use of the three days per week results in a factor of 3/7. The factor of 3/7 is, therefore, a conservative figure since 3 days use in a given week would be unusual. In the December 29 letter, we indicated that the average daily flow will be 1,286 gallons per day (gpd) based on a 600-seat facility; the ultimate development will remain a 600 seat facility. Using a 5 pgd/seat factor from the Baltimore County Plumbing Code:

600 meats x 5 gpd/seat x 3/7 = 1,286 gpd

Telephone: (301) 356-4600

Mr. J. Lawrence Pilson Adat Chaim Congregation March 29, 1990 Page -3-

90-487-SPH

The use of a factor of 3/7 for kitchen use is a conservative figure based on the proposed use of the kitchen facilities.

Although it does not appear to be necessary based on our calculations, we can increase the area of the septic reserve area to include an area north of approved percolation tests 4B, 5B and 6B toward the proposed parking lot. It will be unnecessary to request a waiver from the minimum 100-foot separation requirement between the proposed stormwater management facility and the septic reserve area.

We trust this meets your requirements at this time.

Very truly yours,

Robert S Rosenfelt, P.E. President

cc: Dr. Ronald Sherman Enclosures RSR/tlc

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ROSENFELT & WOOLFOLK



Mr. J. Lawrence Pilson Adat Chaim Congregation March 29, 1990 Page -2-

90-487-584

SEWAGE TREATMENT AND DISPOSAL

The area of the septic reserve area shown on the CRG Plan is 28,937 square feet. The following represents the results of the percolation tests performed on January 31, 1990 as included in the approved Hydrogeological Study:

Depth of Test Trench Depth of Test Percolation Drawdown (minutes)

The design of deep trenches has been adopted from the State of Maryland regulations under Title 10, subtitle 17-3, Chapter 2 by Baltimore County. The average drawdown rate of the four tests is 5 minutes. The area of effective side-wall per 100 gallons from these regulations for a drawdown of 5 minutes is 95 square feet/100 gallons. A copy of the the page from the regulations is attached.

Area of sidewall required = 1,286 gpd x 95 SF/100 gpd = 1,222 SF. This is greater than the minimum of 600 SF per system.

We estimate an average depth of trench to be 3 feet. There will be sufficient depth for theses trenches based on the depth of test, the 3 foot deep trench and the depth to the bottom of the test trenches. At an average depth of 3 feet per trench, determine linear feet of trench required:

Area of sidewall per length of trench = 3 feet x 2 sidewalls = 6 SF/LF.

1,222 SF/6 SF/LF = 204 LF of trench required for the design flow

The preliminary layout of the trench system shown on the CRG Plan indicates a length of approximately 400 LF of trenches and encompasses an area of approximately 600 square feet. A total trench length of approximately 600 LF will be required for the proposed disposal system and two reserve areas; a total area of 7,200 square feet will be needed. Therefore, there will be sufficient area for a deep trench system and two equal reserve areas of 204 LF each all within the 28,937 SF reserve area.

ROSENFELT & WOOLFOLK



LAW OFFICES OF KANDEL, FRANK & CHERNOW A PARTNERSHIP OF PROFESSIONAL CORPORATIONS MCDONOGH CROSSROADS SUITE 100 6 PARK CENTER COURT OWINGS MILLS, MARYLAND 21117

(301) 581-1400

TELECOPIER: (301) 561-1404

JEFFREY'S CHERNOW, P.A. BRIAN J. FRANK, P.A. MICHAEL J. KANDEL, P.A.

June 18, 1990

HAND DELIVERED

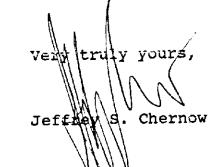
Mr. J. Robert Haines, Zoning Commissioner Baltimore County Office of Planning and Zoning 111 West Chesapeake Avenue Towson, Maryland 21204

> RE: Adat Chaim Congregation 115 Cockeys Mill Road Special Hearing Item #367 Hearing Date: June 20, 1990

Dear Commissioner Haines:

Please be advised that I shall be representing Adat Chaim Congregation at the above-referenced Hearing. The reason for this late change in identity of counsel is that Larry Caplan, counsel of record, must be out of State on the day of the hearing.

Thank you for your cooperation in this matter.



cc: Larry Caplan, Esquire Ms. Jan Clark Mr. Mark Beytin

JSC:bbg

5-7-9-3ED ROSENFELT & WOOLFOLK

INCORPORATED civil engineers • site designers • land planners water quality and stormwater management consultants

April 27, 1990

Mr. J. Robert Haines, Zoning Commissioner Baltimore County Office of Planning and Zoning 111 West Chesapeake Avenue Towson, Maryland 21204

Re: Adat Chaim Congregation 115 Cockeys Mill Road Special Hearing Item #367

Dear Commissioner Haines:

We are writing to request an early hearing date for the Special Hearing for the Adat Chaim Congregation project (Item 367), filed April 19. We believe the applicant is entitled to this consideration because when we met with the Zoning Office staff in December 1989 to discuss R.T.A. requirements and parking calculations, the statement of the zoning technician was that the project was exempt from R.T.A. requirements. We requested confirmation of the December statement in mid-March prior to the C.R.G. meeting. The Zoning office confirmed that the project was exempt from R.T.A. requirements.

We first learned that a Special Hearing would be needed when we received the C.R.G. comments from the Office of Planning and Zoning on March 12, 1990 at the pre-C.R.G. meeting. At that time we were told that two hearings would be needed; the first to determine that the proposed improvements comply with the R.T.A. restrictions to the extent possible, and the second to seek approval for modified parking plan pursuant to Section 409.12.B. to permit two uses (the sanctuary and the social hall) to share their off-street parking spaces since both areas would not be in use at the same time. We had originally been told to note this on the plan, but were not told that a hearing would be needed to approve this shared parking arrangement.

Our client is seeking to begin construction in the summer of 1990. The unanticipated need for a zoning hearing will result in months of delay. Please minimize the burden caused by this delay by assigning an early hearing date to Item #367. We hope to hear from you on this matter.

Thank you for your consideration.

Very truly yours, Gan Clark Land Planner

cc: W. Carl Richards Larry Caplan, Esq. Dr. Ronald Sherman

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Suite Eight Owings Mills Professional Center 10706 Reisterstown Road Owings Mills, MD 21117 Telephone: (301) 356-4600

ROSENFELT & WOOLFOLK INCORPORATED

civil engineers • site designers • land planners water quality and stormwater management consultants

July 3, 1990

Mr. J. Robert Haines, Zoning Commissioner Baltimore County Office of Planning and Zoning 111 West Chesapeake Avenue Towson, Maryland 21204

Re: Adat Chaim Congregation 115 Cockeys Mill Road Special Hearing Item #367

Dear Commissioner Haines:

At the June 20, 1990, Special Hearing for the Adat Chaim Congregation project (Item 367). It was determined that approval of a final landscape plan would be required prior to release of the Zoning Order to permit an exception to the R.T.A. requirements. We agreed to secure approval of the landscape plan and lighting details by July 3 on behalf of the Congregation. However, we are still in the process of refining our plan to meet the approval of Avery Harden of the Office of Planning and a copy of an approved landscape plan cannot be delivered to your office today. Please let us know if this will create any problems with the release of the Zoning Order. An approved plan will be forwarded to you as soon as possible. Thank you for your consideration.

Very truly yours,

Jan Clark Land Planner

cc: Avery Harden Jeff Chernow, P.A. Dr. Ronald Sherman

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